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5/3/02 028721317-US

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Docket No: 6727/0H370



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PATENT TRADEMARK OFFICE

Technology Center 2600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David CARMEL; Yoelle MAAREK-SMADJA; Victoria SKOBLIKOV

Serial No.: 09/606,326

Art Unit:

2741 2654

Filed: June 29, 2000

Examiner:

TBA

For: MORPHOLOGICAL DISAMBIGUATION

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MAY 13 2002

Technology Center 26

PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. §1.48(a)
and PETITION TO WAIVE 37 C.F.R. §1.48(a)(2)
UNDER 37 C.F.R. §1.183

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

May 3, 2002

Sir:

This is a Petition pursuant to 37 C.F.R. §1.48(a) to add an omitted inventor to the this application and to waive the requirements of 37 C.F.R. §1.48(a)(2) pursuant to 37 C.F.R. §1.183.

As originally filed, this application names David Carmel and Yoelle Maarek-Smadja as the inventors. The present Petition seeks to add Victoria Skoblikov as an inventor.

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01-FC:122
02-FL:122

130.00-OP
130.00-OP

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12 FC:122

130.00 OP
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On information and belief, the inventorship error in originally omitting Ms. Skoblikov in this application occurred without any deceptive intent.

This Petition is supported by the accompanying:

- (a) Declaration and Power of Attorney executed by all inventors (Exhibit 1);
- (b) Assignment executed by all inventors (Exhibit 2);
- (c) Consent of Assignee under 37 C.F.R. §1.48, Certificate under 37 C.F.R. §3.73(b), and a Letter of Authority on behalf of the Assignee (Exhibit 3).

Additionally, pursuant to 37 C.F.R. §1.183, a petition is made to waive the requirement of 37 C.F.R. §1.48(a)(2), for a statement from Ms. Skoblikov that the error in inventorship occurred without deceptive intention on her part. Waiver of this requirement permits the filing of a statement that the inventorship error occurred without deceptive intent by less than all the parties required to submit such statement. Waiver is requested pursuant to §1.183 and MPEP §201.03(A) because Ms. Skoblikov cannot be located. Ms. Skoblikov no longer works for the assignee.

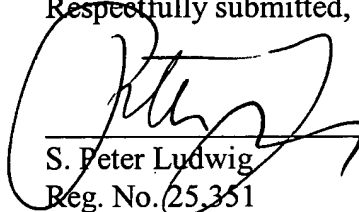
Waiver in this instance is permitted because the facts of record unequivocally support that Ms. Skoblikov was in fact an inventor and the error in inventorship arose without any deceptive intent on her part or on the part of the named inventors. Ms. Skoblikov signed a Declaration and Power of Attorney (Exhibit 1) together with the other two named inventors in the above identified invention on Feb. 15, 2001. In addition, Ms. Skoblikov executed an Assignment of the above identified invention to the present assignee (IBM Corporation) on Feb. 15, 2001 together with the other two named inventors (Exhibit 2). The executed Assignment, copy enclosed, will be forwarded to the PTO for recordation, upon approval of the change of inventorship. Accordingly, it is respectfully submitted that execution of the Declaration and Assignment of this

See MPEP §201.03(A); and *In re Hardee*, 223 USPQ 1122, 1123 (Comm'r Pat. 1984).

The processing fee under 37 C.F.R. §1.48(a) of \$130 set forth in 37 C.F.R. §1.17(i) and the fee under 37 C.F.R. §1.183 of \$130 set forth in 37 C.F.R. §1.17(h) are enclosed.

Accordingly, this Petition to correct inventorship and Petition to waive the statement requirement of 37 C.F.R. §1.48(a)(2) under 37 C.F.R. §1.183 should be granted.

Respectfully submitted,



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